

**IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

In the matter of an application for mandates in the nature of Writs of Certiorari and Mandamus in terms of Article 140 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

**Case No. CA WRIT /0177/2023**

Hiththara Naidalage Sudarshani Peiris  
Wijewickrama  
No. 295, Hokandara South,  
Hokandara

**Petitioner**

**-Vs-**

- 1) Mr. K.M. Mahinda Siriwardana.  
The Secretary,  
Ministry of Finance, Economic Stabilization &  
National Policies  
The Secretariat,  
Colombo 01.
- 2) Mr. J.M.S.N. Jayasinghe.  
Commissioner General of Excise  
Excise Department of Sri Lanka  
No. 355, Kotte Road,  
Rajagiriya
- 3) H. Dhammika Satharasinghe  
Divisional Secretary,  
Divisional Secretariat,  
Opanayake.

**Respondents**

**Before:** **N. Bandula Karunarathna J. (P/CA)**

**&**

**M. Ahsan R. Marikar J.**

**Counsel:** Ikram Mohamed, PC with Roshan Hettiarachchi, AAL and Harshana Mallawarachchi, AAL and Anuradha Abeysekera, AAL for the Petitioner.

Suranga Wimalasena, Deputy Solicitor General with M.D. Alwis , SC for the Respondents.

**Written Submissions:** By the Petitioner – Not filed

By the Respondents – Not filed

**Supported on :** 29.05.2023

**Decided on :** 26.06.2023.

**N. Bandula Karunarathna J. P/CA**

Heard both counsel in regard to this application for an interim relief to be granted. After considering the submissions and documents tendered by both parties, we are of the view that there is an important matter to be decided in this case. In the circumstances the court is satisfied that there is a *prima facie* case to be looked into, by this court.

Accordingly, we direct the registrar of this court to issue notices on all the respondents. The application for an interim relief is also granted under prayer d of the petition dated 03.04.2023.

Registrar is further directed to serve a copy of the said interim order to all the respondents immediately via telephone, fax, email and courier service. The expenses of the communication should be borne by the Petitioner.

Notice returnable on 21.07.2023.

**President of the Court of Appeal**

**M. Ahsan R. Marikar J.**

**I agree.**

**Judge of the Court of Appeal**